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May 9, 2003

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S. W.
Street Lobby – TW A235
Washington, D.C. 20554

Dear Ms. Salas:

Re: *CEI Plan Amendments*; *CC Docket No. 95-20*

In compliance with Commission rules,[1] this letter is to inform you that SBC has posted the following amended CEI plans on its website:

- Second Amendment to Pacific Bell's and Nevada Bell's CEI Plan for Electronic Messaging Services
- Second Amendment to Pacific Bell's and Nevada Bell's CEI Plan for Videotex Gateway Service

Copies of the amendments are attached and they may also be reached via the following Internet address: www.sbc.com/public_affairs/0,5931,97,00.html

Please stamp and return the provided copy to confirm your receipt. Please contact me at (202) 326-8889 should you have any questions.

Sincerely,

No. of Copies rec'd 0+2
List A B C D E

cc: Mr. William Maher,
Chief - Wireline Competition Bureau (with attachments)

[1] *Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; etc.*, 14 FCC Rcd 4289, 4302-03 para. 20 (1999)

SECOND AMENDMENT TO PACIFIC BELL'S AND NEVADA BELL'S CEI PLAN FOR ELECTRONIC MESSAGING SERVICES

This is the second amendment to Pacific Bell Telephone Company's (Pacific Bell) and Nevada Bell Telephone Company's (Nevada Bell) Comparably Efficient Interconnection (CEI) plan for the provision of electronic messaging services. In this document, Pacific Bell and Nevada Bell will be referred to collectively as "SBC."[1]

I. Introduction

On October 18, 1994, the United States Court of Appeals for the Ninth Circuit found that the Commission had not fully explained its basis for granting structural relief in its *Computer Inquiry III* Orders and remanded the issue to the Commission for further proceedings.[2] The Commission has found that the Court's Opinion returned the regulatory status to that of requiring approved CEI plans or notices of market trials for integrated enhanced services offered by the Bell Operating Companies.[3] The Commission requires amendments to approved CEI plans to cover major changes in the enhanced service or changes in the basic network services used with the enhanced service.[4]

On June 20, 1988, SBC filed its Plan for the Provision of Electronic Messaging Services. On February 21, 1989, the Commission conditionally approved the plan.[5] On March 15, 1989, SBC met the conditions for final approval.[6]

On March 13, 1995, SBC filed an amendment to SBC's plan, describing applications of SBC's electronic messaging enhanced service using additional basic network services to meet a wider variety of customer needs. That amendment was approved on October 26, 1995.[7]

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1 Pacific Bell and Nevada Bell are wholly owned by the PacTelesis Group, which, in turn, is wholly owned by SBC Communications Inc.

2 *California v. FCC*, 39 F.3d 919 (9th Cir. 1994), *cert. denied*, 514 U.S. 1050 (1995).

3 *Bell Operating Companies' Joint Petition for Waiver of Computer II Rules*, DA 95-36, Memorandum Opinion and Order, 10 FCC Rcd. 1724 (1995) paras. 20, 30 (*Waiver Order*).

4 *Id.*, at para. 30.

5 *Pacific Bell and Nevada Bell Plan for the Provision of Electronic Messaging Services*, DA 89-151, Memorandum Opinion and Order, 4 FCC Rcd 1640 (1989).

6 Pacific Bell and Nevada Bell Amendment To Plan For The Provision of Electronic Messaging Service, March 15, 1989.

This second amendment describes the application of SBC's electronic messaging enhanced service using Pacific Bell's Broadband Passive Optical Internet Transport Service (BPON).

SBC interconnects its enhanced service to basic network services at the same tariffed rates, terms, and conditions as are available to all other electronic messaging providers. SBC continues to be in compliance with all the Commission's CEI requirements.

II. Compliance With The CEI Requirements

In its initial *Report and Order* in *Computer Inquiry III*, the Commission specified the showings that must be made in a CEI plan.[8] The Commission approved the showings SBC made in its plan, and SBC shows below that its second amendment retains compliance with all CEI requirements.

A. Additional Applications Of SBC's Enhanced Service[9]

SBC has developed, and continues to evolve, a number of applications of the electronic messaging services described in its plan.[10] Also, in SBC's plan, SBC described applications in terms of information content generated and manipulated by persons other than Pacific Bell and Nevada Bell. At the time of the CEI plan filing, Pacific Bell and Nevada Bell were prohibited under the provisions of the Modification of Final Judgment from the generation and manipulation of information content.[11]

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7 *Bell Operating Companies Joint Petition for Waiver of Computer II Rules*, Order, 10 FCC Rcd 13758 (Com Car. Bur. 1995).

8 *Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry)*, CC Docket No. 85-229, Report and Order, Memorandum Opinion and Order on Further Reconsideration, 104 FCC 2d 958 (1986) (*R&O*), *on reconsideration*, Memorandum Opinion and Order on Reconsideration, 2 FCC Rcd 3035 (1987), Memorandum Opinion and Order on Reconsideration, 3 FCC Rcd 1135 (1988), *and* Memorandum Opinion and Order on Further Reconsideration and Second Further Reconsideration, 4 FCC Rcd 5927 (1989), *vacated in part, California v. FCC*, 905 F.2d 1217 (9th Cir. 1990).

9 *See R&O*, at paras. 190-191.

10 Pacific Bell and Nevada Bell CEI Plan (Plan), pp. 3-7.

11 *United States v. Western Elec. Co.*, 714 F. Supp. 1 (D.D.C. 1988), *rev'd and remanded*, 900 F. 2d 283 (D.C. Cir. 1990), *cert. denied, MCI v. United States*, 498 U.S. 911 (1990).

In 1991, that prohibition was lifted.[12] Consequently, SBC notes that the information content used in some electronic messaging applications and provided to end users may be generated, owned, controlled, manipulated, or maintained by SBC's own enhanced services operation.

As described in the plan, SBC's PB Connection™ provides public, Wide-Area Network (WAN) electronic mail (E-Mail) service, using the X.400 series of protocols. PB Connection™ also provides Local Area Network electronic messaging service (LAN-Mail), which provides LAN members an efficient means to communicate with each other and with members of other networks. In addition, Directory Connection is an electronic directory available to all PB Connection™ subscribers for easy address look-up. It includes set-up options that let subscribers customize a directory solution specific to their needs.

SBC's Business Transaction Network (BT Net) is an updated version of PB Connection™ that provides a more extensive customer-driven solution that facilitates the movement of business transaction information among members of selected communities of interest. It combines both WAN and LAN support and offers additional electronic messaging applications, described in the plan, including electronic data interchange and electronic document interchange (EDI).[13]

These and the other applications employ electronic messaging servers that act as message transfer agents/message stores for the overall system. The servers conform to X.400 and X.500 standards recommendations and support communications via P7 protocol through Async Dial up, TCP/IP, and PAD/X.25. The servers used in this and in SBC's other applications are connected to the network with tariffed network services described below in **Section B**. Many of the network services employed are high-speed (high-capacity or business broadband) services that allow the

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[12] *United States v. Western Elec. Co.*, 767 F. Supp. 308 (D.D.C. 1191), aff'd, 993 F.2d 1572 (D.C. Cir. 1993), *cert, denied, Consumer Fed'n of America v. United States*, 114 S. Ct. 487 (1993).

[13] Plan, p. 4. EDI is electronic store and forwarding used in business-to-business and consumer-to-business transactional information and documents in standard formats. EDI is used for purchase orders, electronic funds transfers, inventories, and many other purposes.

movement of large amounts of information and the participation of many people at the same time. All network services that SBC uses are available to all enhanced service providers (ESPs)[14] under its tariffs.

SBC's first application of BT Net was for the real estate industry. Members of this community of interest include real estate brokers, loan brokers, other lenders, pest control companies, and others. These businesses are able to communicate more fully using the EDI store and forward electronic messaging capabilities of BT Net and, thus, are able to reduce their transaction times and better serve their customers.

SBC has expanded the BT Net application to address the EDI and interactive information service needs of the healthcare industry. These service applications have been designed to streamline the flow of healthcare-related information among many members of the healthcare community of interest. These members include patients, physicians, surgeons, medical groups, clinics, laboratories, imaging centers, pharmacies, drug manufacturers, hospitals, financial institutions, and health insurance companies. SBC's offerings are designed to help (1) automate many current administrative, financial, and clinical processes in the healthcare industry, (2) provide better access to medical services in areas that are undeserved for healthcare, and (3) allow home access to healthcare services.[15]

SBC's healthcare-related service applications are classified into five different categories: (1) Administrative/Financial Health Information; (2) Clinical Messaging; (3) Digital Image

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[14] In this CEI Plan, SBC will use the terms "enhanced service provider" and "enhanced services" in lieu of the terms "information service provider" and "information service."

[15] SBC's health information services have been designed in accordance with evolving U.S. national health information management standards. In the U.S., the development of a majority of these standards is the responsibility of the American National Standards Institute's (ANSI) Healthcare Information Standards Planning Panel (HISPP). Three HISPP committees, ASCX12, HL7, AND ACR/NEMA, define standards for administrative/financial records, clinical messaging, and diagnostic imaging, respectively. ASCX12's 12 standard supports a number of transaction types including claims submission, claims status, claims inquiry, eligibility rosters, eligibility inquiry and response, referrals and authorizations, and electronic funds transfer. HL7 clinical messaging standard supports transactions for the storage, retrieval, and management of diagnostic images from digital modalities (e.g., Magnetic Resonance Imaging Systems, Ultra Sound Systems, Nuclear Medicine Systems, and Computed Tomography Systems) and access to imaging records by radiologists, surgeons, primary care physicians, and remote consulting specialists.

Management; (4) Interactive Health Information; and (5) Integrated Health Information. A brief description of each of these categories is provided below:

- Administrative/Financial Health Information provides EDI of financial and administrative transactions between trading partners in the healthcare industry. Hospitals use this application to purchase hospital equipment and supplies. Drug manufacturers use EDI transactions to sell drugs and receive payments from wholesale and retail pharmacies. Healthcare providers and payers use EDI to support a family of transactions such as electronic claims submission, claims inquiry, eligibility inquiry and response, referrals and authorizations, and electronic funds transfer.
- Clinical Messaging allows the electronic exchange of clinical transactions such as admissions, tests, prescriptions, and radiology examinations. This application allows the customer to create an order and transmit that order to the appropriate clinical information system. When the order has been executed, the result is automatically transmitted back to the customer.
- Digital Imaging Management provides radiology groups, imaging centers, and hospital with the ability to store and retrieve digitized imaging patient records from the digital imaging repository. This application provides on-line access to currently active patient records, or prestaging of imaging records from deep archive for planned patient visits. Referring physicians may access image files for reviewing treatment options with a patient. An on-call radiologist may review an off-hour emergency case by accessing imaging records from his home computer.
- Interactive Health Information provides medical professionals with computer access to medical libraries and commercially available information databases. Members of different health plans may interactively access wellness-education databases provided by us or others. Members may use commercially available software such as Mosaic or

Netscape to interact with the various health information and education service applications.

- Integrated Health Information provides a data-query capability which allows a user to access and retrieve computerized medical records. These medical records may reside at any of SBC's healthcare customers' facilities or in a centralized clinical data repository. This application also provides data integration capability to allow access to complete patient records by an examining physician or a patient's insurance company. An integrated patient record file may contain eligibility data, treatment plan data, laboratory test results, radiology reports, digitized imaging records, and other information. In addition, this application provides access to population-based medical records for outcome-treatment studies and customized reports in order to research serious medical problems or disease control, or to address health policy-related issues.

SBC is applying similar electronic messaging applications in schools, where SBC is focusing on improving communication among, and bringing educational resources to, teachers, students, and administrators by means of SBC's Knowledge Network Gateway. Schools have access to the Knowledge Network Gateway via computers on LANs at the schools, which are connected to the network with high-speed tariffed network services, enabling many people to participate at the same time.

The electronic messaging capabilities of SBC's Knowledge Network Gateway encourage collaborative learning and communication among classes almost anywhere in the world. Moreover, teachers can share lesson plans and develop personal "networks" with other teachers and can integrate on-line resources into their lesson plans. In addition, Pacific Bell's Knowledge Network Gateway provides California's students and educators with high speed, navigated, computer access to the world's educational resources. Information content can be obtained from Internet-based information sources as well as from other educational resources tied in with the California curriculum. Network connection to information allows schools to share educational

resources, keeping costs lower, and allows students to learn telecomputing skills needed for higher education and for business and other careers. Most important, it provides students and teachers with access to current information and information that may not otherwise be available.

Knowledge Network Gateway employs SBC's file servers to store and forward E-Mail messages and information content. For E-Mail, the students access SBC's file server, which downloads messages into their computers or discs so that they can read the messages. Students can store the messages in their mailboxes in SBC's file server. Students also can access menus in the file server to get help in accessing desired sources for information content. Knowledge Network Gateway is part of the vision to bring the public telecommunications network, the Knowledge Network, to schools and libraries for voice, data, and video communication.

SBC has further developed SBC's PB Connection™ and BT Net applications to include electronic messaging applications in conjunction with more widespread Internet access. Depending on customer needs, these applications can include the following functions associated with the enhanced services equipment: E-Mail service in case the customer's server goes down;[16] storage of incoming E-Mail until the customer dials the network to retrieve it;[17] back-up domain name services (DNS) to translate Internet names to Internet addresses in case the customer's server goes down; primary DNS to provide these translations on a regular basis; and a store-and-forward contact point for group electronic messaging communication via Internet news feeds.[18]

Pacific Bell has also developed group electronic messaging communications applications to include sending news owned by a third-party information provider on a regular basis to Pacific Bell paging customers.

B. The Use of Additional Network Services

Both end-user customers and Pacific Bell's electronic messaging provider use tariffed network services with the electronic messaging service. The same tariffed network services can

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16 Internet Mail Relay/Exchanger Service (MX).

17 Store and forward E-Mail Services (SMTP).

18 Network News services (NNTP). Group communication electronic messaging is described in SBC's CEI plan at page 8.

be used the same way by end-user customers who wish to access other ESPs' electronic messaging services and by the other ESPs themselves in order to provide their services.

As described in the plan, end-user customers can use Pacific Bell's public E-Mail service by accessing SBC's Public Packet Switching (PPS) Network by means of Pacific Bell's tariffed Local Exchange Telephone Network services (Plain Old Telephone Service or POTS) with a modem, or through a dedicated PPSN line.[19] SBC's electronic messaging enhanced service operation continues to interconnect with Pacific Bell's network by purchasing tariffed PPS and 9.6K Digital Data Service (Advanced Digital Network).[20]

SBC also has evolved additional electronic messaging applications that are described above in **Section A**. End-user customers have the following additional tariffed service options for accessing these additional applications: ISDN, High Capacity Services, Frame Relay, and SMDS.. SBC end users can also select ATM Cell Relay. SBC's enhanced service operation has the following additional tariffed service options for interconnection: Measured Business, 800 Service, ISDN, Frame Relay, SMDS, and High Capacity Services including T1 and DS-3. SBC also can purchase ATM Cell Relay.

BPON is a high-speed Internet transport service utilizing Broadband Passive Optical Network and Fiber-to-the-Home (FTTH) network technology. The scope of this offering is limited to end users located within the Mission Bay Development in San Francisco, California. BPON is provisioned over the physical facility between Pacific Bell's Broadband Optical Box located in the Serving Wire Center and the Optical Network Unit (ONT) located at the end user's premises. Pacific Bell will offer BPON in several asymmetrical/symmetrical speed configurations, including several downstream/upstream operating speed combinations.

A copy of the tariff for BPON that can be used by SBC's enhanced service operation (additional "CEI services") is contained in **Exhibit A** hereto.

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[19] Plan, p. 18.

[20] *Id.*, at 11.

C. Interface Functionality[21]

SBC interconnects electronic messaging services to SBC's network via tariffed network services with standardized technical interconnections that are available to all other ESPs.

D. Unbundling of Basic Services[22]

The additional basic network services, which can be used by us with SBC's electronic messaging service, are offered on an unbundled basis, as shown in the applicable tariffs.

E. Resale[23]

SBC purchases all basic services that it uses with SBC's enhanced service offering at unbundled tariffed rates.

F. Technical Characteristics[24]

SBC provides basic services to other ESPs with technical characteristics that are equal to those of the basic services that SBC uses for its own enhanced service. SBC uses tariffed basic services that are available to all ESPs, and its tariffs reference technical standards.

G. Installation, Maintenance, and Repair[25]

The procedures that determine the timing and quality of installation, maintenance, and repair are identical both for the basic services that SBC uses with its enhanced services and for the basic services that SBC offers to other ESPs. These procedures ensure that there can be no discrimination in time intervals for these functions.[26]

H. End-User Access[27]

An end-user customer accesses SBC's electronic messaging service through the same tariffed services that end-users can use to access the services of other ESPs. These services are

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21 *R&O*, para. 157.

22 *Id.*, at para. 158.

23 *Id.*, at para. 159.

24 *Id.*, at para. 160.

25 *Id.*, at para. 161.

26 The Commission has approved Pacific Bell's and Nevada Bell's procedures in *Filing and Review of Open Network Architecture Plans, Memorandum Opinion and Order*, 4 FCC Rcd 1, paras. 468-70 (1988).

27 *R&O*, para. 162.

described above in **Section B**. Under this plan, no abbreviated dialing arrangements are available to SBC's customers or to those of other ESPs. Nor are derived channel arrangements or other unique access arrangements offered to customers of SBC's electronic messaging service. If and when such arrangements are made available to SBC's customers, the arrangements will be made available to customers of other ESPs at the same prices, terms, and conditions.

I. CEI Availability[28]

SBC's underlying basic services are available to its enhanced service operation and to other ESPs at the same time in any given geographical service area.

J. Minimization of Transport Costs[29]

SBC minimizes transmission cost differences between its collocated and enhanced service operation and other ESPs by using price parity standards that the Commission has approved.[30]

K. Recipients of CEI[31]

None of the tariffs for SBC's CEI services restrict the ability of ESPs to purchase these services.

L. Allocation of Joint and Common Costs[32]

SBC allocates joint and common costs consistent with the Commission's rules and pursuant to SBC's cost allocation manual.

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28 *Id.*, at para. 163.

29 *Id.*, at para. 164.

30 *See, e.g. Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry)*, Memorandum Opinion and Order on Reconsideration (Phase II Reconsideration Order), 3 FCC Rcd 1150, paras. 32-34 (1988) *vacated in part, California v. FCC,* 905 F.2d 1217 (9th Cir. 1990); *NYNEX Protocol Conversion CEI Plan Order*, para. 8.

31 *R&O*, para. 165.

32 *Id.*, at paras. 234-240.

M. Sample Tariffs[33]

Exhibit A hereto contains a copy of the tariff for SBC's additional CEI services identified above in **Section B**.

N. Nondiscrimination Reporting[34], Network Interface Disclosure[35], and Customer Proprietary Network Information[36]

SBC will continue to comply fully with the existing, and any revised, requirements regarding these non-structural safeguards.

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33 *Id.*, at para. 190.
34 *Id.*, at para. 192.
35 *Id.*, at para. 252.
36 *Id.*, at para. 265.

ACCESS SERVICE
CHECK SHEET

Title Page and Pages 1 to 34-2, inclusive of this tariff are effective as of the date shown. Original and revised pages as named below and Supplement No. 7 contains all changes from the original tariff that are in effect on the date hereof.

Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated
Title 1	Original	12	Original	2-7	Original
1	105th*	13	Original	2-8	Original
1.1	11th	14	1st	2-9	Original
1.2	33rd	15	Original	2-10	Original
1.3	5th	16	Original	2-11	Original
1.4	1st	17	Original	2-12	Original
1.5	18th	17.1	Original	2-13	Original
1.6	15th	17.2	Original	2-14	Original
1.7	30th	18	Original	2-15	Original
1.8	18th	19	Original	2-16	2nd
1.9	10th	20	Original	2-17	2nd
1.10	14th	21	1st	2-17.1	1st
1.11	1st	22	1st	2-18	1st
1.12	4th	22.1	9th	2-19	1st
1.13	Original	23	Original	2-20	Original
1.14	17th*	24	Original	2-21	Original
1.15	28th	25	Original	2-22	Original
1.16	13th	26	Original	2-23	Original
2	Original	27	Original	2-24	Original
3	Original	28	Original	2-25	Original
3.1	2nd	29	Original	2-26	Original
3.2	Original	30	Original	2-27	Original
3.3	1st	31	Original	2-28	Original
3.4	Original	32	Original	2-29	Original
3.5	Original	33	1st	2-30	Original
3.6	Original	34	Original	2-31	Original
4	Original	35	Original	2-32	Original
4.1	Original	36	Original	2-33	Original
5	Original	37	3rd	2-34	Original
6	Original	38	2nd	2-35	Original
7	Original	39	Original	2-36	Original
7.1	Original	1-1	Original	2-37	Original
7.2	Original	1-2	Original	2-38	Original
8	Original	2-1	1st	2-39	1st
8.1	Original	2-2	1st	2-40	Original
9	1st	2-3	Original	2-41	Original
10	Original	2-4	Original	2-42	Original
11	Original	2-5	Original	2-43	Original
		2-6	Original	2-43.1	Original
				2-44	Original

*New or Revised Page.

(This page filed under Transmittal No. 112)

Issued: April 28, 2003

Effective: April 29, 2003

David A. Cole
President, Industry Markets
Pacific Bell Telephone Company
One SBC Plaza, Dallas, TX 75202

ACCESS SERVICE

CHECK SHEET (Cont'd)

Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated
17-104	Original	20-21	1st	21-4	1st
17-105	Original	20-22	1st	21-5	Original
17-106	Original	20-23	1st	21-6	Original
18-1	Original	20-24	1st	21-7	1st
18-2	Original	20-25	1st	22-1	2nd
18-3	Original	20-26	1st	22-2	5th
19-1	1st*	20-27	1st	22-2.1	Original
19-2	Original*	20-28	1st	22-3	3rd
19-3	Original*	20-29	1st	22-4	Original
19-4	Original*	20-30	1st	22-5	3rd
19-5	Original*	20-31	1st	22-6	4th
19-6	Original*	20-32	1st	22-7	3rd
20-1	1st	20-33	1st	22-8	3rd
20-2	1st	20-34	2nd	22-9	3rd
20-3	1st	20-33.1	1st	22-10	1st
20-4	1st	20-35	3rd	22-11	5th
20-5	2nd	20-36	4th	22-11.1	2nd
20-6	2nd	20-37	3rd	22-12	3rd
20-7	2nd	20-38	2nd	22-13	3rd
20-8	2nd	20-39	2nd	22-13.1	2nd
20-9	2nd	20-40	2nd	22-14	4th
20-10	1st	20-41	4th	22-14.1	1st
20-11	1st	20-42	3rd	22-15	4th
20-12	1st	20-43	2nd	22-15.1	1st
20-13	1st	20-44	2nd	22-16	4th
20-14	2nd	20-45	3rd	22-17	3rd
20-15	1st	20-46	3rd	22-18	4th
20-16	1st	20-47	2nd	22-19	3rd
20-17	1st	20-48	2nd	22-20	3rd
20-18	1st	21-1	Original	22-21	2nd
20-19	1st	21-2	1st	22-21.1	2nd
20-20	1st	21-3	Original	22-22	2nd
				22-23	2nd

*New or Revised Page.

(This page filed under Transmittal No. 112)

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ACCESS SERVICE

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description

(A) Basic Service Description

BPON Internet Transport Service is a high speed Internet transport service utilizing Broadband Passive Optical Network (BPON) and Fiber-to-the-Home (FTTH) network technology.

BPON is a standards-based technology that has the capability of delivering an integrated voice, data and video suite of services over a point-to-multi-point fiber optic network.

FTTH is a generic term to represent a complete fiber optic network from the service provider to the end user location.

BPON Internet Transport Service is only available to Internet Service Providers (ISPs), Information Service Providers and Carriers (hereafter referred to as Customers) to allow them to connect their end users, for the purpose of providing to those end users, a retail high speed Internet access service.

This offering is limited to the Mission Bay Development in San Francisco, CA, and is only available to Customers serving residential end users in the Mission Bay Development. It is estimated that the development will have approximately 6,000 residential units.

BPON Internet Transport Service is provisioned over the physical facility between the Company's ATM Gateway Port located in the Serving Wire Center and the Optical Network Unit (ONT) located at the end user's premises. See Diagram 1 following. (Nx)

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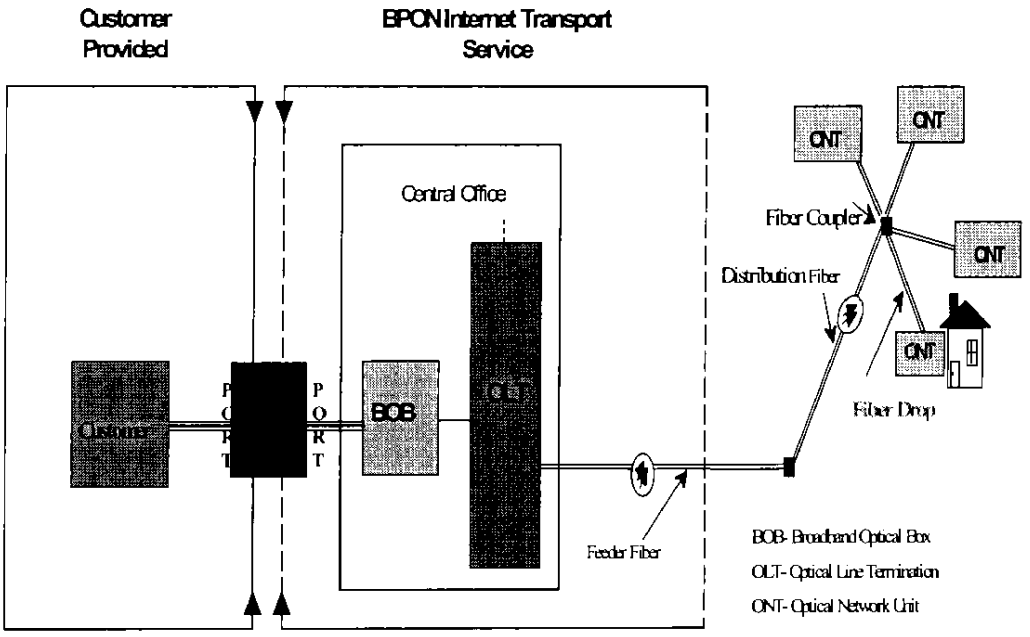
19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(A) Basic Service Description (Cont'd)

Diagram 1



The Company will offer BPON Internet Transport Service in several asymmetrical/symmetrical speed configurations, including several downstream/upstream operating speed combinations, as described in Section 19.2, following. All rates for BPON Internet Transport Service speeds are set forth in Section 19.5, following.

Downstream speeds represent connection speeds measured in Kbps or Mbps, from the Company's Broadband Optical Box to the ONT located at Customer's designated end user premises.

Upstream speeds represent connection speeds from the ONT located at the Customer's designated end user premises to the Company's Broadband Optical Box. (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(B) Terms and Conditions

(1) Customer must provide a designated end user address and a telephone number associated with POTS service provided by Pacific Bell (i.e., not resale, not UNE-P, not CLEC-provided) at retail to the designated end user over the BPON.

(2) Company supports one virtual session over a single BPON Internet Transport Service arrangement. The term virtual session describes an active communications path between the Company ATM Gateway and the end user premises.

(3) Company only provides UBR (unspecified bit rate) service.

(4) There are no minimum service period or term commitments, i.e. no termination liabilities, for the BPON Internet Transport Service. There are also no volume discounts associated with BPON Internet Transport Service.

(5) Carriers desiring to offer Internet access service in Mission Bay may purchase the BPON Transport Service on a resale basis and bundle it with its own (or a third party's) Internet access and portal to provide Internet access service to its end user customers. The BPON Transport Service will be available for resale to carriers, subject to the terms of this tariff, at the prevailing tariff rate, without the application of a discount.

(C) Service Provisioning

(1) Minimum connection speed is between the ONT at customer designated end users premises and the Company's Broadband Optical Box. Connection speed may be affected by factors not in Company's control, including but not limited to, Internet congestion, server or router speeds, protocol overheads, etc.

(2) Customer is required to provide connectivity from its ATM interface to the Company ATM Gateway Port. See diagram 1 preceding.

(3) Customer is responsible for providing all customer support to its end users. (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(C) Service Provisioning (Cont'd)

(4) With respect to all services purchased under this tariff, Customer shall be responsible for payment to Company. Customer retains all responsibility for billing its end users and for any claim, an end user may make concerning unauthorized billing.

19.2 BPON Internet Transport Service Speed Tiers

There are five Speed Tier options available to the customer. Customer selects one speed option with respect to each designated end user. Rates are contained in Section 19.5 Rate Table A, following.

Speed Tier Options		
	Downstream Speed	Upstream Speed
Option 1	Up to 384 Kbps	128 Kbps
Option 2	384 Kbps to 1.5 Mbps	128 Kbps
Option 3	768 Kbps to 1.5 Mbps	256 Kbps
Option 4	1.5 Mbps to 6.0 Mbps	384 Kbps
Option 5	384 Kbps	384 Kbps

19.3 Modification of Access Service

All requests and any appropriate charges for Access Order modifications will apply on a per occurrence basis, as described in Section 5.2.2. (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Nx)
(Cont'd)

19.4 Rate Applications

Monthly Recurring Rates

Monthly Recurring Rates are rates that apply each month or fraction thereof, that a specific rate element is provided. For billing purposes, each month is considered to have thirty days.

19.5 Rates and Charges

BPON Internet Transport Speed Tiers Option Rate Table-A

Offering	USOC	Downstream Speeds	Upstream Speeds	Monthly Recurring Rate
Option 1	F2TAX	Up to 384Kbps	128 Kbps	$ 31.69
Option 2	F2TBX	384 Kbps to 1.5 Mbps	128Kbps	$ 36.35
Option 3	F2TDX	768 Kbps to 1.5 Mbps	256 Kbps	$ 46.61
Option 4	F2TEX	1.5 Mbps to 6.0 Mbps	384 Kbps	$ 92.28
Option 5	F2TCX	384 Kbps	384 Kbps	$ 69.91 (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

SECOND AMENDMENT TO PACIFIC BELL'S AND NEVADA BELL'S CEI PLAN FOR VIDEOTEX GATEWAY SERVICE

This is the second amendment to Pacific Bell Telephone Company's (Pacific Bell) and Nevada Bell Telephone Company's (Nevada Bell) Comparably Efficient Interconnection (CEI) plan for the provision of videotex gateway service.

I. INTRODUCTION

On October 18, 1994, the United States Court of Appeals for the Ninth Circuit found that the Commission had not fully explained its basis for granting structural relief in its *Computer Inquiry III* Orders and remanded the issue to the Commission for further proceedings.[1] The Commission has found that the Court's Opinion returned the regulatory status to that of requiring approved CEI plans or notices of market trials for integrated enhanced services offered by the Bell Operating Companies.[2] The Commission requires amendments to approved CEI plans to cover major changes in the enhanced service or changes in the basic network services used with the enhanced service.[3]

On September 23, 1988, SBC filed its Plan for Provision of Videotex Gateway Service. On April 7, 1989, the Commission conditionally approved SBC's plan.[4] On April 28, 1989, SBC met the conditions for final approval.[5]

On March 13, 1995, SBC filed an amendment to its plan describing applications of its videotex gateway enhanced service that uses additional basic network services to meet a wider variety of customer needs. That amendment was approved on October 26, 1995.[6]

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1 *California v. FCC*, 39 F.3d 919 (9th Cir. 1994), *cert. denied*, 514 U.S. 1050 (1995).

2 *Bell Operating Companies' Joint Petition for Waiver of Computer II Rules*, DA 95-36, Memorandum Opinion and Order, 10 FCC Rcd 1724 (1995), paras. 20, 30 (*Waiver Order*).

3 *Id.*, at para. 30.

4 *Pacific Bell and Nevada Bell Plan for the Provision of Comparably Efficient Interconnection for Videotex Gateway Service*, DA 89-363, Memorandum Opinion and Order, 4 FCC Rcd 2774 (1989).

5 Pacific Bell and Nevada Bell Informational Amendments To Plan For The Provision Of Comparably Efficient Interconnection For Videotex Gateway Service, April 28, 1989.

6 *Bell Operating Companies Joint Petition for Waiver of Computer II Rules*, Order, 10 FCC Rcd 13758 (Com Car. Bur. 1995).

This second amendment describes the application of SBC's videotex gateway enhanced service using Pacific Bell's Broadband Passive Optical Internet Transport Service (BPON).

SBC interconnects its enhanced services to basic network services at the same tariffed rates, terms, and conditions as are available to all other videotex gateway providers. SBC continues to be in compliance with all the Commission's CEI requirements.

II. COMPLIANCE WITH THE CEI REQUIREMENTS

In its initial *Report and Order* in *Computer Inquiry III*, the Commission specified the showings that must be made in a CEI plan.[7] The Commission approved the showings Pacific Bell and Nevada Bell made in their plan, and SBC shows below that its amendment retains compliance with all CEI requirements.

A. Additional Applications Of SBC's Enhanced Service[8]

SBC has developed, and continues to evolve, a number of applications of the videotex gateway service described in its plan.[9] SBC explained that videotex gateway service involves end-user interaction with stored information together with protocol conversion.[10] SBC pointed out that these "videotex applications cover the entire continuum of services, ranging from, database access, to teleshopping, to electronic banking, to order entry, to electronic mail."[11] SBC also pointed out that SBC expected that its videotex gateway service would be extended to educational, financial, medical, entertainment, or community applications, as well as transactional applications, such as electronic shopping or banking, and communications

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7 *Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry)*, CC Docket No. 85-229, Report and Order, Memorandum Opinion and Order on Further Reconsideration, 104 FCC 2d 958 (1986) (*R&O*), *on reconsideration*, Memorandum Opinion and Order on Reconsideration, 2 FCC Rcd 3035 (1987), Memorandum Opinion and Order on Reconsideration, 3 FCC Rcd 1135 (1988), *and* Memorandum Opinion and Order on Further Reconsideration and Second Further Reconsideration, 4 FCC Rcd 5927 (1989), *vacated in part, California v. FCC*, 905 F.2d 1217 (9th Cir. 1990).

8 *See R&O*, at paras. 190-191.

9 Pacific Bell and Nevada Bell Plan To Provide Comparably Efficient Interconnection For Videotex Gateway Service, September 23, 1988 (Plan). pp. 1-11.

10 Plan, p. 2.

11 *Id.*, at 3, quoting the "Huber Report." "The Geodesic Network: 1987 Report on Competition in the Telephone Industry." Peter Huber, p. 1.29, f.n. 46.

applications, such as electronic mail.[12] Various of these applications have been developed and continue to evolve.

In its plan, SBC also described an information storage application in which information may be stored in its gateway in addition to being stored in remote databases.[13] SBC's description of these information storage applications was in terms of information owned by someone other than Pacific Bell or Nevada Bell. At the time of SBC's CEI plan filing, Pacific Bell and Nevada Bell were prohibited under the provisions of the Modification of Final Judgement from the generation and manipulation of information content.[14] In 1991, the prohibition was lifted.[15] Therefore, SBC notes that the information content used in some videotex gateway applications and provided to end users may be generated, owned, controlled, manipulated, or maintained by SBC's enhanced services operation.

Moreover, videotex and electronic mail have continued to converge, and there are no clear distinctions between them. Therefore, Pacific Bell and Nevada Bell amended their videotex gateway CEI plan consistent with SBC's March 13, 1995, amendment to their electronic messaging CEI plan.

The PB Connection™ continues to provide public, Wide-Area Network (WAN) electronic mail (E-Mail) service, using the X.400 series of protocols. PB Connection™ also provides Local Area Network electronic messaging service (LAN-Mail), which provides LAN members, an efficient means to communicate with each other and with members of other networks. In addition, Directory Connection is an electronic directory available to all PB Connection™ subscribers for easy address look-up. It includes set-up options that let subscribers customize a directory solution specific to their needs.

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12 Plan, p. 9.

13 Plan, p. 7.

14 *United States v. Western Elec. Co.*, 714 F. Supp. 1 (D.D.C. 1988), *rev'd and remanded*, 900 F.2d 283 (D.C. Cir. 1990), *cert. denied, MCI v. United States*, 498 U.S. 911 (1990).

15 *United States v. Western Elec. Co.*, 767 F. Supp. 308 (D.D.C. 1991), *aff'd*, 993 F.2d 1572 (D.C. Cir. 1993), *cert. denied, Consumer Fed'n of America v. United States*, 114 S. Ct. 487 (1993).

The Business Transaction Network (BT Net) is an updated version of PB Connection™, which provides a more extensive customer-driven solution that facilitates the movement of business transaction information among members of selected communities of interest. It combines both WAN and LAN support and offers additional electronic messaging applications, which SBC described in its plan, including electronic data interchange and electronic document interchange (EDI).[16]

These and the other applications employ electronic messaging servers that act as message transfer agents/message stores for the overall system. The servers conform to X.400 and X.500 standards recommendations and support communications via P7 protocol through Async Dial up, TCP/IP, and PAD/X.25. The servers used in this and in the other applications are connected to the network with tariffed network services described below in Section B. Many of the network services employed are high-speed (high-capacity or business broadband) services that allow the movement of large amounts of information and the participation of many people at the same time. All network services that SBC uses are available to all ESPs under its tariffs.

The first application of BT Net was for the real estate industry. Members of this community of interest include real estate brokers, loan brokers, other lenders, pest control companies, and others. These businesses are able to communicate more fully using the EDI store-and-forward electronic messaging capabilities of BT Net and, thus, are able to reduce their transaction times and better serve their customers.

SBC has expanded its BT Net application to address the EDI and interactive information service needs of the healthcare industry. These service applications have been designed to streamline the flow of healthcare-related information among many members of the healthcare community of interest. These members include patients, physicians, surgeons, medical groups, clinics, laboratories, imaging centers, pharmacies, drug manufacturers, hospitals, financial

[16] EDI is electronic store and forwarding used in business-to-business and consumer-to-business transactional information and documents in standard formats. EDI is used for purchase orders, electronic funds transfers, inventories, and many other purposes.

institutions, and health insurance companies. SBC's offerings are designed to help (1) automate many current administrative, financial, and clinical processes in the healthcare industry, (2) provide better access to medical services in areas that are undeserved for healthcare, and (3) allow home access to healthcare services.[17]

The healthcare-related service applications are classified into five different categories: (1) Administrative/Financial Health Information; (2) Clinical Messaging; (3) Digital Image Management; (4) Interactive Health Information; and (5) Integrated Health Information. A brief description of each of these categories is provided below:

- Administrative/Financial Health Information provides EDI of financial and administrative transactions between trading partners in the healthcare industry. Hospitals use this application to purchase hospital equipment and supplies. Drug manufacturers use EDI transactions to sell drugs and receive payments from wholesale and retail pharmacies. Healthcare providers and payers use EDI to support a family of transactions such as electronic claims submission, claims inquiry, eligibility inquiry and response, referrals and authorizations, and electronic funds transfer. Clinical Messaging allows the electronic exchange of clinical transactions such as admissions, tests, prescriptions, and radiology examinations. This application allows the customer to create an order and transmit that order to the appropriate

[17] SBC's health information services have been designed in accordance with evolving U.S. national health information management standards. In the U.S., the development of a majority of these standards is the responsibility of the American National Standards Institute's (ANSI's) Healthcare Information Standards Planning Panel (HISPP). Three HISPP committees, ASCX12, HL7, AND ACR/NEMA, define standards for administrative/financial records, clinical messaging, and diagnostic imaging, respectively. ASCX12's 12 standard supports a number of transaction types including claims submission, claims status, claims inquiry, eligibility rosters, eligibility inquiry and response, referrals and authorizations, and electronic funds transfer. HL7 clinical messaging standard supports transactions for patient admission, registration, patient transfer, treatment, access to computerized patient records, laboratory orders, and results. ACR/NEMA's DICOM 3.0 stand supports transactions for the storage, retrieval, and management of diagnostic images from digital modalities (e.g., Magnetic Resonance Imaging Systems, Ultra Sound Systems, Nuclear Medicine Systems, and Computed Tomography Systems) and access to imaging records by radiologists, surgeons, primary care physicians, and remote consulting specialists.

clinical information system. When the order has been executed, the result is automatically transmitted back to the customer.

- Digital Imaging Management provides radiology groups, imaging centers, and hospital with the ability to store and retrieve digitized imaging patient records from the digital imaging repository. This application provides on-line access to currently active patient records, or prestaging of imaging records from deep archive for planned patient visits. Referring physicians may access image files for reviewing treatment options with a patient. An on-call radiologist may review an off-hour emergency case by accessing imaging records from his home computer.
- Interactive Health Information provides medical professionals with computer access to medical libraries and commercially available information databases. Members of different health plans may interactively access wellness-education databases provided by SBC or others. Members may use commercially available software such as Mosaic or Netscape to interact with the various health information and education service applications.
- Integrated Health Information provides a data-query capability that allows a user to access and retrieve computerized medical records. These medical records may reside at any of SBC's healthcare customers' facilities or in a centralized clinical data repository. This application also provides data integration capability to allow access to complete patient records by an examining physician or a patient's insurance company. An integrated patient record file may contain eligibility data, treatment plan data, laboratory test results, radiology reports, digitized imaging records, and other information. In addition, this application provides access to population-based medical records for outcome-treatment studies and customized reports in order to research serious medical problems or disease control, or to address health policy-related issues.

SBC is applying similar electronic messaging applications in schools, where it is focusing on improving communication among, and bringing educational resources to, teachers, students, and administrators via its Knowledge Network Gateway. Schools have access to the Knowledge Network Gateway via computers on LANs at the schools, which are connected to the network with high-speed tariffed network services, enabling many people to participate at the same time.

The electronic messaging capabilities of Pacific Bell's Knowledge Network Gateway encourage collaborative learning and communication among classes almost anywhere in the world. Moreover, teachers can share lesson plans and develop personal "networks" with other teachers and can integrate on-line resources into their lesson plans. In addition, SBC's Knowledge Network Gateway provides California's students and educators with high speed, navigated, computer access to the world's educational resources. Information content can be obtained from Internet-based information sources as well as from other educational resources tied in with the California curriculum. Network connection to information allows schools to share educational resources, keeping costs lower, and allows students to learn telecomputing skills needed for higher education and for business and other careers. Most important, it provides students and teachers with access to current information and information that may not otherwise be available.

Knowledge Network Gateway employs SBC's file servers to store and forward E-Mail messages and information content. For E-Mail, the students access SBC's file server which downloads messages into their computers or discs so that they can read the messages. Students can store the messages in their mailboxes in SBC's file server. Students also can access menus in SBC's file server to get help in accessing desired sources for information content. Knowledge Network Gateway is part of SBC's vision to bring the public telecommunications network, the Knowledge Network, to schools and libraries for voice, data, and video communication.

SBC has further developed the PB Connection™ and BT Net applications to include electronic messaging applications in conjunction with more widespread Internet access service. Depending on customer needs, these applications can include the following functions associated

with the enhanced services equipment: E-Mail service in case the customer's server goes down;[18] storage of incoming E-Mail until the customer dials the network to retrieve it;[19] back-up domain name services (DNS) to translate Internet names to Internet addresses in case the customer's server goes down; primary DNS to provide these translations on a regular basis;[20] and a store-and-forward contact point for group electronic messaging communication via Internet news feeds.[21]

SBC also has developed group electronic messaging communications applications to include sending news owned by a third-party information provider on a regular basis to Pacific Bell paging customers.

B. The Use of Additional Network Services

Both end-user customers and Pacific Bell's electronic messaging provider use tariffed network services with the videotex gateway service. The same tariffed network services can be used the same way by end-user customers who wish to access other ESPs' videotex gateway service and by the other ESPs themselves in order to provide their services.[22]

As described in the electronic messaging CEI plan, end-user customers can use Pacific Bell's public E-Mail service by accessing the Public Packet Switching Network ("PPSN") by means of Pacific Bell's tariffed Local Exchange Telephone Network services ("Plain Old Telephone Service" or "POTS") with a modem, or through a dedicated PPSN line.[23] Pacific Bell's electronic messaging enhanced service operation continues to interconnect with Pacific Bell's network by purchasing tariffed PPS and 9.6K Digital Data Service (Advanced Digital

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18 Internet Mail Relay/Exchanger Service (MX).

19 Store and forward E-Mail Services (SMTP).

20 DNS is similar to the address translation service described in SBC's videotex gateway CEI plan (p. 11) which translates mnemonic codes into network addresses.

21 Network News services (NNTP).

22 As explained in SBC's April 28, 1989 Informational Amendment to its videotex gateway plan, the same CEI arrangements apply to SBC's information storage applications as to its other videotex gateway applications.

23 Pacific Bell and Nevada Bell Plan To Provide Electronic Messaging Services, June 20, 1988, p. 18.

Network).[24] Use of the PPSN for videotex gateway service also is described in the videotex gateway CEI plan.[25]

SBC has also evolved additional electronic messaging applications, which are described above in Section A. End-user customers have the following additional tariffed service options for accessing these additional applications: ISDN, High Capacity Services, Frame Relay, and SMDS. End users can also select ATM Cell Relay. SBC's enhanced service operation has the following additional tariffed service options for interconnection: Measured Business, 800 Service, ISDN, Frame Relay, SMDS, BPON, and High Capacity Services including T1 and DS-3. SBC can also can purchase ATM Cell Relay.

BPON is a high-speed Internet transport service utilizing Broadband Passive Optical Network and Fiber-to-the-Home (FTTH) network technology. The scope of this offering is limited to end users located within the Mission Bay Development in San Francisco, California. BPON is provisioned over the physical facility between Pacific Bell's Broadband Optical Box located in the Serving Wire Center and the Optical Network Unit (ONT) located at the end user's premises. Pacific Bell will offer BPON in several asymmetrical/symmetrical speed configurations, including several downstream/upstream operating speed combinations.

A copy of the tariff for BPON that can be used by the enhanced service operation (additional "CEI services") is contained in Exhibit A hereto.

C. Interface Functionality[26]

SBC interconnects videotex gateway service to its network by means of tariffed network services with standardized technical interconnections that are available to all other ESPs.

D. Unbundling of Basic Services[27]

The additional basic network services, which can be used by us with the videotex gateway service are offered on an unbundled basis, as shown in the applicable tariffs.

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24 *Id.*, at 11.
25 Plan, p. 11.
26 *R&O*, para. 157.
27 *Id.*, at para. 158.

E. Resale[28]

SBC purchases all basic services that SBC uses with its enhanced service offering at unbundled tariffed rates.

F. Technical Characteristics[29]

SBC provides basic services to other ESPs with technical characteristics that are equal to those of the basic services that SBC uses for its own enhanced service. SBC uses tariffed basic services that are available to all ESPs, and its tariffs reference technical standards.

G. Installation, Maintenance, and Repair[30]

The procedures that determine the timing and quality of installation, maintenance, and repair are identical both for the basic services that SBC uses with its enhanced services and for the basic services that it offers to other ESPs. SBC's procedures ensure that there can be no discrimination in time intervals for these functions.[31]

H. End-User Access[32]

An end-user customer accesses the videotex gateway service through the same tariffed services that end users can use to access the services of other ESPs. These services are described above in Section B. Under this plan, no abbreviated dialing arrangements are available to SBC's customers or to those of other ESPs. Nor are derived channel arrangements or other unique access arrangements offered to customers of SBC's electronic messaging service. If and when such arrangements are made available to SBC's customers, the arrangements will be made available to customers of other ESPs at the same prices, terms, and conditions.

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28 *Id.*, at para. 159.

29 *Id.*, at para. 160.

30 *Id.*, at para. 161.

31 The Commission has approved Pacific Bell's and Nevada Bell's procedures in *Filing and Review of Open Network Architecture Plans, Memorandum Opinion and Order*, 4 FCC Rcd 1, paras. 468-70 (1988).

32 *R&O*, para. 162.

I. CEI Availability[33]

SBC's underlying basic services are available to its own enhanced service operation and to other ESPs at the same time in any given geographical service area.

J. Minimization of Transport Costs[34]

SBC minimizes transmission cost differences between its collocated and enhanced service operation and other ESPs by using price parity standards that the Commission has approved.[35]

K. Recipients of CEI[36]

None of the tariffs for SBC's CEI services restrict the ability of ESPs to purchase these services.

L. Allocation of Joint and Common Costs[37]

SBC allocates joint and common costs consistent with the Commission's rules and pursuant to SBC's cost allocation manual.

M. Sample Tariffs[38]

Exhibit A hereto contains a copy of the tariff for SBC's additional CEI services (BPON) identified above in Section B.

N. Nondiscrimination Reporting[39], Network Interface Disclosure[40], and Customer Proprietary Network Information[41]

SBC will continue to comply fully with the existing, and any revised, requirements regarding these non-structural safeguards.

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33 *Id.*, at para. 163.

34 *Id.*, at para. 164.

35 *See, e.g. Amendment of Section 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry), Memorandum Opinion and Order on Reconsideration (Phase II Reconsideration Order), 3 FCC Rcd 1150*, paras. 32-34 (1988), *vacated in part, California v. FCC*, 905 F.2d 1217 (9th Cir. 1990); *NYNEX Protocol Conversion CEI Plan Order*, para. 8.

36 *R&O*, para. 165.

37 *Id.*, at paras. 234-240.

38 *Id.*, at para. 190.

39 *Id.*, at para. 192.

40 *Id.*, at para. 252.

41 *Id.*, at para. 265.

ACCESS SERVICE
CHECK SHEET

Title Page and Pages 1 to 34-2, inclusive of this tariff are effective as of the date shown. Original and revised pages as named below and Supplement No. 7 contains all changes from the original tariff that are in effect on the date hereof.

Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated
Title 1	Original	12	Original	2-7	Original
1	105th*	13	Original	2-8	Original
1.1	11th	14	1st	2-9	Original
1.2	33rd	15	Original	2-10	Original
1.3	5th	16	Original	2-11	Original
1.4	1st	17	Original	2-12	Original
1.5	18th	17.1	Original	2-13	Original
1.6	15th	17.2	Original	2-14	Original
1.7	30th	18	Original	2-15	Original
1.8	18th	19	Original	2-16	2nd
1.9	10th	20	Original	2-17	2nd
1.10	14th	21	1st	2-17.1	1st
1.11	1st	22	1st	2-18	1st
1.12	4th	22.1	9th	2-19	1st
1.13	Original	23	Original	2-20	Original
1.14	17th*	24	Original	2-21	Original
1.15	28th	25	Original	2-22	Original
1.16	13th	26	Original	2-23	Original
2	Original	27	Original	2-24	Original
3	Original	28	Original	2-25	Original
3.1	2nd	29	Original	2-26	Original
3.2	Original	30	Original	2-27	Original
3.3	1st	31	Original	2-28	Original
3.4	Original	32	Original	2-29	Original
3.5	Original	33	1st	2-30	Original
3.6	Original	34	Original	2-31	Original
4	Original	35	Original	2-32	Original
4.1	Original	36	Original	2-33	Original
5	Original	37	3rd	2-34	Original
6	Original	38	2nd	2-35	Original
7	Original	39	Original	2-36	Original
7.1	Original	1-1	Original	2-37	Original
7.2	Original	1-2	Original	2-38	Original
8	Original	2-1	1st	2-39	1st
8.1	Original	2-2	1st	2-40	Original
9	1st	2-3	Original	2-41	Original
10	Original	2-4	Original	2-42	Original
11	Original	2-5	Original	2-43	Original
		2-6	Original	2-43.1	Original
				2-44	Original

*New or Revised Page.

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ACCESS SERVICE

CHECK SHEET (Cont'd)

Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated	Page	Number of Revision Except as Indicated
17-104	Original	20-21	1st	21-4	1st
17-105	Original	20-22	1st	21-5	Original
17-106	Original	20-23	1st	21-6	Original
18-1	Original	20-24	1st	21-7	1st
18-2	Original	20-25	1st	22-1	2nd
18-3	Original	20-26	1st	22-2	5th
19-1	1st*	20-27	1st	22-2.1	Original
19-2	Original*	20-28	1st	22-3	3rd
19-3	Original*	20-29	1st	22-4	Original
19-4	Original*	20-30	1st	22-5	3rd
19-5	Original*	20-31	1st	22-6	4th
19-6	Original*	20-32	1st	22-7	3rd
20-1	1st	20-33	1st	22-8	3rd
20-2	1st	20-34	2nd	22-9	3rd
20-3	1st	20-33.1	1st	22-10	1st
20-4	1st	20-35	3rd	22-11	5th
20-5	2nd	20-36	4th	22-11.1	2nd
20-6	2nd	20-37	3rd	22-12	3rd
20-7	2nd	20-38	2nd	22-13	3rd
20-8	2nd	20-39	2nd	22-13.1	2nd
20-9	2nd	20-40	2nd	22-14	4th
20-10	1st	20-41	4th	22-14.1	1st
20-11	1st	20-42	3rd	22-15	4th
20-12	1st	20-43	2nd	22-15.1	1st
20-13	1st	20-44	2nd	22-16	4th
20-14	2nd	20-45	3rd	22-17	3rd
20-15	1st	20-46	3rd	22-18	4th
20-16	1st	20-47	2nd	22-19	3rd
20-17	1st	20-48	2nd	22-20	3rd
20-18	1st	21-1	Original	22-21	2nd
20-19	1st	21-2	1st	22-21.1	2nd
20-20	1st	21-3	Original	22-22	2nd
				22-23	2nd

*New or Revised Page.

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19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description

(A) Basic Service Description

BPON Internet Transport Service is a high speed Internet transport service utilizing Broadband Passive Optical Network (BPON) and Fiber-to-the-Home (FTTH) network technology.

BPON is a standards-based technology that has the capability of delivering an integrated voice, data and video suite of services over a point-to-multi-point fiber optic network.

FTTH is a generic term to represent a complete fiber optic network from the service provider to the end user location.

BPON Internet Transport Service is only available to Internet Service Providers (ISPs), Information Service Providers and Carriers (hereafter referred to as Customers) to allow them to connect their end users, for the purpose of providing to those end users, a retail high speed Internet access service.

This offering is limited to the Mission Bay Development in San Francisco, CA, and is only available to Customers serving residential end users in the Mission Bay Development. It is estimated that the development will have approximately 6,000 residential units.

BPON Internet Transport Service is provisioned over the physical facility between the Company's ATM Gateway Port located in the Serving Wire Center and the Optical Network Unit (ONT) located at the end user's premises. See Diagram 1 following. (Nx)

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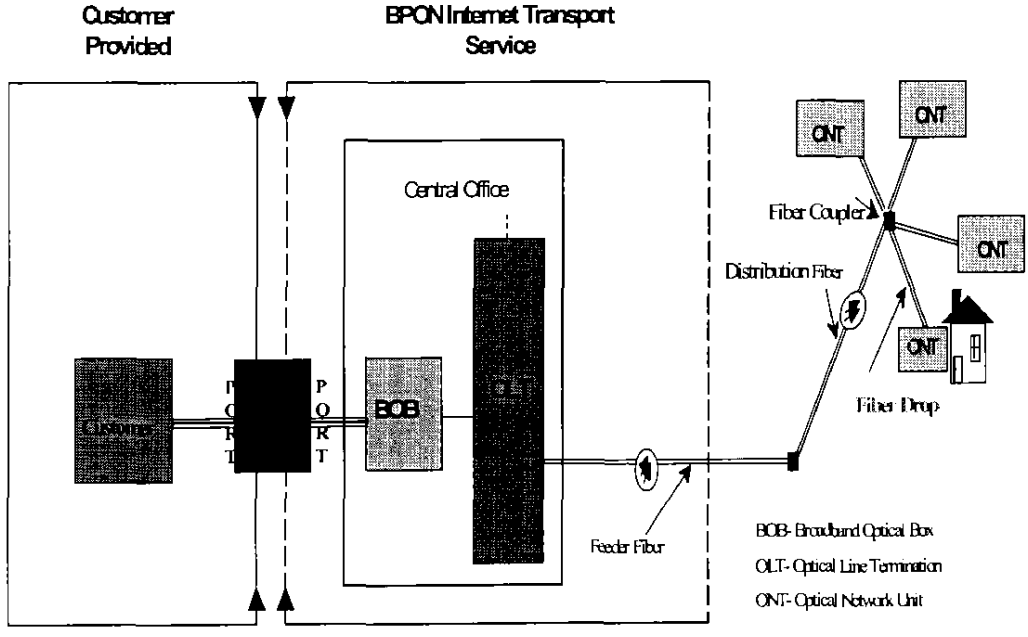
19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(A) Basic Service Description (Cont'd)

Diagram 1



The Company will offer BPON Internet Transport Service in several asymmetrical/symmetrical speed configurations, including several downstream/upstream operating speed combinations, as described in Section 19.2, following. All rates for BPON Internet Transport Service speeds are set forth in Section 19.5, following.

Downstream speeds represent connection speeds measured in Kbps or Mbps, from the Company's Broadband Optical Box to the ONT located at Customer's designated end user premises.

Upstream speeds represent connection speeds from the ONT located at the Customer's designated end user premises to the Company's Broadband Optical Box. (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(B) Terms and Conditions

(1) Customer must provide a designated end user address and a telephone number associated with POTS service provided by Pacific Bell (i.e., not resale, not UNE-P, not CLEC-provided) at retail to the designated end user over the BPON.

(2) Company supports one virtual session over a single BPON Internet Transport Service arrangement. The term virtual session describes an active communications path between the Company ATM Gateway and the end user premises.

(3) Company only provides UBR (unspecified bit rate) service.

(4) There are no minimum service period or term commitments, i.e. no termination liabilities, for the BPON Internet Transport Service. There are also no volume discounts associated with BPON Internet Transport Service.

(5) Carriers desiring to offer Internet access service in Mission Bay may purchase the BPON Transport Service on a resale basis and bundle it with its own (or a third party's) Internet access and portal to provide Internet access service to its end user customers. The BPON Transport Service will be available for resale to carriers, subject to the terms of this tariff, at the prevailing tariff rate, without the application of a discount.

(C) Service Provisioning

(1) Minimum connection speed is between the ONT at customer designated end users premises and the Company's Broadband Optical Box. Connection speed may be affected by factors not in Company's control, including but not limited to, Internet congestion, server or router speeds, protocol overheads, etc.

(2) Customer is required to provide connectivity from its ATM interface to the Company ATM Gateway Port. See diagram 1 preceding.

(3) Customer is responsible for providing all customer support to its end users. (Nx)

(x) Issued under authority of Special Permission No. 03-047 of the F.C.C.

19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.1 General Description (Cont'd)

(C) Service Provisioning (Cont'd)

(4) With respect to all services purchased under this tariff, Customer shall be responsible for payment to Company. Customer retains all responsibility for billing its end users and for any claim, an end user may make concerning unauthorized billing.

19.2 BPON Internet Transport Service Speed Tiers

There are five Speed Tier options available to the customer. Customer selects one speed option with respect to each designated end user. Rates are contained in Section 19.5 Rate Table A, following.

Speed Tier Options		
	Downstream Speed	Upstream Speed
Option 1	Up to 384 Kbps	128 Kbps
Option 2	384 Kbps to 1.5 Mbps	128 Kbps
Option 3	768 Kbps to 1.5 Mbps	256 Kbps
Option 4	1.5 Mbps to 6.0 Mbps	384 Kbps
Option 5	384 Kbps	384 Kbps

19.3 Modification of Access Service

All requests and any appropriate charges for Access Order modifications will apply on a per occurrence basis, as described in Section 5.2.2. (Nx)

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19. Broadband Passive Optical Network (BPON) Internet Transport Service (Cont'd) (Nx)

19.4 Rate Applications

Monthly Recurring Rates

Monthly Recurring Rates are rates that apply each month or fraction thereof, that a specific rate element is provided. For billing purposes, each month is considered to have thirty days.

19.5 Rates and Charges

BPON Internet Transport Speed Tiers Option Rate Table-A

Offering	USOC	Downstream Speeds	Upstream Speeds	Monthly Recurring Rate
Option 1	F2TAX	Up to 384Kbps	128 Kbps	$ 31.69
Option 2	F2TBX	384 Kbps to 1.5 Mbps	128Kbps	$ 36.35
Option 3	F2TDX	768 Kbps to 1.5 Mbps	256 Kbps	$ 46.61
Option 4	F2TEX	1.5 Mbps to 6.0 Mbps	384 Kbps	$ 92.28
Option 5	F2TCX	384 Kbps	384 Kbps	$ 69.91

(Nx)

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